

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

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In re:

Chapter 11

WONDERWORK, INC.,

Case No. 16-13607 (MKV)

Debtor.  
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**ORDER GRANTING EXAMINER'S *EX PARTE* MOTION FOR ENTRY OF AN  
ORDER AUTHORIZING THE FILING OF EXAMINER'S REPORT UNDER SEAL**

Upon the *ex parte* motion<sup>1</sup> (“**Motion**”) [ECF No. 278] of Jason R. Lilien, the court-appointed examiner (the “**Examiner**”) of the above-captioned debtor (the “**Debtor**”), by and through his undersigned counsel, for entry of an order (this “**Order**”), pursuant to sections 105(a) and 107 of the Bankruptcy Code and Bankruptcy Rule 9018, permitting the Examiner to temporarily file under seal the final report of his investigation (the “**Report**”) and all appendices thereto (the “**Exhibits**”) because the Report contains confidential and otherwise privileged information that, pursuant to the *Amended Order Directing the Appointment of an Examiner and Establishing Temporary Budget Controls* (the “**Examiner Order**”) [ECF No. 185], should remain confidential; and the Court having jurisdiction to consider the Motion and the relief requested therein pursuant to 28 U.S.C. §§ 157 and 1334; and consideration of the Motion and the relief requested therein being a core proceeding pursuant to 28 U.S.C. § 157(b)(2); and venue being proper pursuant to 28 U.S.C. §§ 1408 and 1409; and it appearing that the relief requested in the Motion is in the best interests of the Examiner, the Debtor’s estate, and other parties in interest; and the Examiner having provided adequate and appropriate notice of the Motion under the Bankruptcy Code, Federal Rules of Bankruptcy Procedure and the Local Rules; and after due deliberation and sufficient cause appearing therefor, it is HEREBY

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<sup>1</sup> Capitalized terms not defined herein shall have the meaning ascribed to those terms in the Motion.

ORDERED THAT:

1. The Motion is granted as set forth herein.
2. The Examiner is authorized, pursuant to sections 105(a) and 107 of the Bankruptcy Code and Bankruptcy Rule 9018, to temporarily file the Report and Exhibits with the Court under seal.
3. The Examiner and the Debtor shall negotiate in good faith to propose to the Court an agreed redacted version of the Report and Exhibits for filing on the public docket by November 3, 2017. Absent agreement, the Examiner shall submit any disputes to the Bankruptcy Court for resolution.
4. Until further order of this Court, the unredacted Report and Exhibits shall remain under seal and confidential and shall not be made available to anyone, other than as provided for in paragraph 5 of this Order.
5. Until further order of this Court, the unredacted Report and Exhibits shall not be disseminated to anyone other than the Court, the Examiner and his professionals, the Debtor and its professionals, and the Office of the United States Trustee (the "U.S. Trustee").
6. This Order is without prejudice to the rights of any party in interest, or the U.S. Trustee, to seek to unseal the Report or any part thereof. Any party in interest seeking access to the documents under seal shall file an appropriate motion with the Court seeking such relief on appropriate notice.
7. The Examiner is authorized to take all actions necessary to effectuate the relief granted pursuant to this Order in accordance with the Motion.
8. The terms and conditions of this Order shall be immediately effective and enforceable upon its entry.

9. The Court retains jurisdiction with respect to all matters arising from or related to the implementation of this Order.

Dated: New York, New York  
October 26, 2017

*s/ Mary Kay Vyskocil*  
Honorable Mary Kay Vyskocil  
United States Bankruptcy Judge